

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Diana L. Kelly
Write the full name of each plaintiff.

3 CV _____
(Include case number if one has been assigned)

-against-

COMPLAINT

City of Peekskill, et al
Neighborhood Watch Association, President
Victor Pizella building Dept, William Florence, city attorney.
David Parr, Mayor, John Testa, This case and

Do you want a jury trial?
☒ Yes ☐ No

Write the full name of each defendant. If you need more space, please write "see attached" in the space above and attach an additional sheet of paper with the full list of names. The names listed above must be identical to those contained in Section II.

DMHC v. City of Peekskill
Corporation Counsel, et al
are connected.

RECEIVED
CLERK OF COURT
MAR 21 PM 2:30
2024

NOTICE

The public can access electronic court files. For privacy and security reasons, papers filed with the court should therefore *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number. See Federal Rule of Civil Procedure 5.2.

I. BASIS FOR JURISDICTION

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation, and the amount in controversy is more than \$75,000, is a diversity case. In a diversity case, no defendant may be a citizen of the same State as any plaintiff.

What is the basis for federal-court jurisdiction in your case?

☒ Federal Question

☐ Diversity of Citizenship

A. If you checked Federal Question

Which of your federal constitutional or federal statutory rights have been violated?

My natural rights are in violations, my constitutional rights to live without interference, my liberties.

B. If you checked Diversity of Citizenship

1. Citizenship of the parties

Of what State is each party a citizen?

The plaintiff, *Deane L. Kelly*, is a citizen of the State of
(Plaintiff's name)

Westchester County, New York
(State in which the person resides and intends to remain.)

or, if not lawfully admitted for permanent residence in the United States, a citizen or subject of the foreign state of

If more than one plaintiff is named in the complaint, attach additional pages providing information for each additional plaintiff.

If the defendant is an individual:

The defendant, Victor Pizeila
~~Diana L Kelly~~
 (Defendant's name), is a citizen of the State of _____

or, if not lawfully admitted for permanent residence in the United States, a citizen or subject of the foreign state of _____

If the defendant is a corporation:

The defendant, Former Mayor of Peekskill
John Testa, is incorporated under the laws of
 the State of N.Y. Westchester County

and has its principal place of business in the State of _____

or is incorporated under the laws of (foreign state) _____

and has its principal place of business in _____

If more than one defendant is named in the complaint, attach additional pages providing information for each additional defendant.

II. PARTIES

A. Plaintiff Information

Provide the following information for each plaintiff named in the complaint. Attach additional pages if needed.

<u>Diana</u>	<u>L.</u>	<u>Kelly</u>
First Name	Middle Initial	Last Name
<u>homeless</u>		
Street Address		
<u>Westchester County</u>		
County, City	State	Zip Code
<u>943-204-0216</u>	<u>1313 Vinson @ gmail.com</u>	
Telephone Number	Email Address (if available)	

B. Defendant Information

To the best of your ability, provide addresses where each defendant may be served. If the correct information is not provided, it could delay or prevent service of the complaint on the defendant. Make sure that the defendants listed below are the same as those listed in the caption. Attach additional pages if needed.

Defendant 1:

William J. Florence, Counsel

First Name

Last Name

Former or Present Counsel employed in the City of Peekskill, N.Y. 10566

Current Job Title (or other identifying information)

2 Park St. also City Hall

Current Work Address (or other address where defendant may be served)

PeekskillN.Y.10566

County, City

State

Zip Code

Defendant 2:

Vicitor Pisella

First Name

Last Name

Former Code Enforcement Supervisor,

Current Job Title (or other identifying information)

Main St. City Hall.

Current Work Address (or other address where defendant may be served)

Westchester, Peekskill N.Y.

County, City

State

Zip Code

Defendant 3:

Neighborhood Watch Association, President.

First Name

Last Name

Current Job Title (or other identifying information)

Current Work Address (or other address where defendant may be served)

Westchester CountyN.Y.10566

County, City

State

Zip Code

Defendant 4: John Testa
 First Name Last Name
Council
 Current Job Title (or other identifying information)
 Current Work Address (or other address where defendant may be served)
Westchester County N.Y.
 County, City State Zip Code

III. STATEMENT OF CLAIM

Place(s) of occurrence: Westchester County New York 434 Simpson Place
Peekskill N.Y. 10566

Date(s) of occurrence: latest 3/19/2024

FACTS:

State here briefly the FACTS that support your case. Describe what happened, how you were harmed, and what each defendant personally did or failed to do that harmed you. Attach additional pages if needed.

I am presently being Watched and Surmalled over the internet.
As a result of retaliation, due to documentation I have concerning
another case,
These public officials are using their resources presently to deny me
Services, I have been under Surveillance since they burnt me out of
my home @ 434 Simpson Pl. Peekskill N.Y. 10566
William Florence has used his political influences to remove evidence
& Verification concerning retaliation. He has also had Court documents
removed from being Filed in case 064472-CLB-GAY. 0642-
I Filed a Cease & Desist order with Honorable Judge Brien,
during my case proceedings, After the Cease & Desist was Filed, I never
received any documentation for this case. Following this case I was
burnt out of our home in Peekskill N.Y. All records relating to this
arson have been removed. Also I was poisoned by a Peekskill Doctor.
Which lead to Brain Surgery, Mr. Florence, Testa, Etc.
proceeded to use their influence to have me cut off of Social Security Disability.
Mr. Florence also instructed staff from City Hall to harass & retaliate.
My Section 8 Voucher was detained, making me homeless. This retaliation
Continues to this day March 21, 2024

Mr. William Florence has continually used his influence both politically & Personally to bring adverse actions upon me and my Family. I seek immediate Remedy that the adverse Actions against my Family and I may stop. He has done everything within his means to cripple me and leave me dead ~~and~~ in the streets.

If not for God & my Ancestors I would be in a insane asylum. Homeless, I am, but not hungry by Gods grace.

I pray that the Court may investigate and give me immediate Remedy that I may live the rest of my life w/ my Family with Peace.

INJURIES:

If you were injured as a result of these actions, describe your injuries and what medical treatment, if any, you required and received.

I am mentally, physically & emotionally Scared for Life.

All of my resources have been Compromised up until today.

I have Severe P.T.S.D as a result of the defendants Actions.

I was poisoned and required Brain Surgery w/ shunts inside my head.

IV. RELIEF

State briefly what money damages or other relief you want the court to order.

10 million dollars and a Cease & Desist order with immediate Access to the Federal Court for Remedy, each defendants Surety Bond.

V. PLAINTIFF'S CERTIFICATION AND WARNINGS

By signing below, I certify to the best of my knowledge, information, and belief that: (1) the complaint is not being presented for an improper purpose (such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation); (2) the claims are supported by existing law or by a nonfrivolous argument to change existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Federal Rule of Civil Procedure 11.

I agree to notify the Clerk's Office in writing of any changes to my mailing address. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Each Plaintiff must sign and date the complaint. Attach additional pages if necessary. If seeking to proceed without prepayment of fees, each plaintiff must also submit an IFP application.

March 21, 2024
Dated

Diana A. Kelly
Plaintiff's Signature

Diana A. Kelly
First Name Middle Initial Last Name

Homeless
Street Address

Westchester
County, City

NY
State

943-204-0216
Telephone Number

1313 Vinson@gmail.com
Zip Code
Email Address (if available)

I have read the Pro Se (Nonprisoner) Consent to Receive Documents Electronically:

☐ Yes ☐ No

If you do consent to receive documents electronically, submit the completed form with your complaint. If you do not consent, please do not attach the form.